

November 7, 2024

VIA ECF

Hon. Judge Margaret M. Garnett
Thurgood Marshall Courthouse
40 Foley Square
Courtroom 906
New York, NY 10007

RE: Request to Adjourn Initial Pretrial Conference

Case: *Williams v. Galia Lahav Inc. et al.*, No. 1:24-cv-07834-MMG

Dear Judge Garnett,

The undersigned are counsel for the parties in the above-referenced matter. We write to respectfully request that the Court adjourn the Initial Pretrial Conference (“Conference”) scheduled with the Court on Wednesday, December 11, 2024 [See Doc. 7] to a date during the last two weeks in January 2025.

Pursuant to Rule I(B)(5) of Your Honor’s Individual Rules & Practices, we are providing the following information in support of our request.

- (1) On October 17, 2024, Plaintiff sent Defendant a Waiver of Service of Summons. [See Doc. 6.] Pursuant to Fed. R. Civ. P. 4(d)(3), a defendant who “timely returns a waiver of service need not serve an answer to the complaint until 60 days after the request was sent.” Thus, the deadline for Defendant to respond to Plaintiff’s Complaint is December 16, 2024. See Fed. R. Civ. P. 4(d)(3).

Currently, the Conference is scheduled for December 11, 2024 which is before the December 16, 2024 deadline for Defendant to file a response to the Complaint. Counsel for the parties have begun preliminary settlement discussions, but Plaintiff’s counsel would like the opportunity to review Defendant’s response and defenses to the Complaint and discuss Defendant’s position with Defendant’s counsel prior to the Conference. Adjourning the Conference to a date after counsel have had a chance to discuss the merits of the case would allow counsel to provide the Court with a more substantive assessment of the merits of the case and each party’s position.

- (2) The Conference is currently scheduled for December 11, 2024.
- (3) This is the parties’ first request for an adjournment of the Conference.
- (4) Counsel for both parties consent to this proposed adjournment.
- (5) Defendant’s Counsel, Mr. Bernstein, will not be available from January 1st through January 13th or January 16th. Counsel for both parties propose the Court adjourn the Conference to a date between January 20 and January 29, 2025.

Respectfully submitted,

/s/ Taryn Rose Murray

Taryn Rose Murray, Esq.
Attorney for Plaintiff

/s/ Hartley T. Bernstein

Hartley T. Bernstein, Esq.
Attorney for Defendant

Request GRANTED. The Initial Pretrial Conference is ADJOURNED to **Wednesday, January 22, 2025, at 11:00 a.m.** Additionally, the joint letter and proposed civil case management plan that are due on December 4, 2024, are now due on **January 15, 2025**. The Clerk of Court is directed to terminate Dkt. No. 9.

SO ORDERED. Date 11/7/2024



HON. MARGARET M. GARNETT
U.S. DISTRICT JUDGE